IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE TWENTY FIRST DAY OF SEPTEMBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MR JUSTICE B.PRAKASH RAO

WRIT PETITION NO : 18590 of 2002

Between:

A. Venkateshwar Reddy,

S/o Masi Reddy, aged 40 years, R/o Kothapet Village,

Pangal Mandal, Mahabubnagar District.

..... PETITIONER

AND

1. A.P. State Financial Corporation,

   Chirag Ali Lane, Hyderabad through

   its General Manager.

2. A.P. State Financial Corporation,

   1-7-57, Ayyappa Complex, Opp Police Head quarters,

   Mahabubnagar.

3. S. Nooka Raju,

   S/o Sri Rama Rao, R/o H.No.25/632,

   Srinivas Nagar colony, Nandyal, Kurnool District.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue a writ of Mandamus or any other appropriate writ or writs, order or direction,

declaring the action of the second respondent in initiating coercive steps and interfering with the personal rights and liberties of the petitioner, as otherwise than in due process of law, as illegal, arbitrary, without jurisdiction and contrary to Section 29 of the SFC Act and to award costs.

Counsel for the Petitioner: MR.N.SRIDHAR REDDY

Counsel for the Respondents 1 and 2: MS Y.N.LOHITA

The Court made the following:

ORDER:

Heard both sides and at their request, the writ petition itself is taken up for disposal.

The petitioner, who is the principal borrower, had filed this writ petition, *inter alia,* challenging the action of the respondents in taking coercive steps against him without any justification in law or on facts.

Considering the submissions made by both the learned counsel and upon perusal of the material available on record, it is seen that though the writ petition was filed as long back as on 23-09-2002, no interim order was granted in favour of the petitioner and in fact the interim application-W.P.M.P.No.23365 of 2002 was dismissed on 03-02-2003 having regard to the statement made in the counter-affidavit filed by the respondents that they are not taking any coercive steps against the petitioner. In view of the same, I do not see any reason to go into the merits of the case.

The writ petition is accordingly disposed of directing the respondents to proceed in accordance with law. No costs.

(B.PRAKASH RAO, J)

Date: 21-09-2004

ghn

To

1. A.P. State Financial Corporation,
   Chirag Ali Lane, Hyderabad through
   its General Manager.

2. A.P. State Financial Corporation,
   1-7-57, Ayyappa Complex, Opp Police Head quarters,
   Mahabubnagar.

3. Two CD copies.